

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

ROYAL SPURLARK, individually and on
behalf of other similarly situated.

Plaintiff,
v.

DIMENSION SERVICE
CORPORATION, PELICAN
INVESTMENT HOLDING, LLC d/b/a
AAP and GUSTAV RENNY

Defendants.

Case No.: 2:21-cv-3803

Judge Edmund A. Sargus

Magistrate Judge Chelsey M. Vascura

DECLARATION OF ANTHONY BACCARI

I, Anthony Baccari declare as follows:

1. I have been retained by counsel that represent Mr. Spurlark related to claims I have against the defendants. I have personal knowledge of the following facts and, if called upon as a witness, could and would competently testify thereto.
2. My residential cellular telephone line, 856-625-xxxx, has been on the National Do Not Call Registry since March, 2021.
3. On approximately October 13, 2021, I received a telemarketing call on that number.
4. When I answered the call, a pre-recorded message began playing regarding automobile warranties.
5. The company that was calling was not identified on the call.
6. Therefore, identifying the origin of the caller would have been nearly impossible without engaging the caller in their telemarketing script to obtain the true name of the company who called me.

7. This is an extremely common practice in my interactions with the telemarketing industry, with telemarketers often blast calling numbers with fake caller ID information and fake names to conceal their true identities and avoid liability under the law for making telemarketing calls.

8. In cases such as this, it is necessary to feign interest in the telemarketer's script to ascertain their true identity and what product or services they are selling. Otherwise, the callers are impossible to identify and hold accountable for their telemarketing actions.

9. I engaged the telemarketer to identify what company he was from and what product he was promoting.

10. The telemarketer identified that Dimension Service Corporation would be the administrator on the policy that was being issued.

11. However, the company that the telemarketer worked for was not revealed until I placed a down payment on an automobile service policy.

12. I then received an email on approximately October 13, 2021 containing a policy link, which identifies AAP clearly.

13. I received a policy packet regarding the automobile service policy as a result of the October 13, 2021 call.

14. The policy states that the "Provider" for the contract is "Autoguard Advantage Corporation, located at 5500 Frantz Road, Suite 120, Dublin, OH 43017" and refers to "Us" as "Dimension Service Corporation" at the same address.

I declare under penalty of perjury under the laws of Pennsylvania and the United States of America that the foregoing is true and correct

12/29/2021

EXECUTED at _____, Pennsylvania, this _____ day of December, 2021.



Anthony Baccari